

LOWENSTEIN SANDLER LLP

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*Counsel to the Debtors and
Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

Duro Dyne National Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-27963 (MBK)

(Jointly Administered)

**TWENTY-SECOND MONTHLY FEE STATEMENT OF LOWENSTEIN SANDLER
LLP FOR THE PERIOD AUGUST 1, 2020 THROUGH AUGUST 31, 2020**

Lowenstein Sandler LLP, counsel to the above-captioned debtors and debtors-in-possession (collectively, the “**Debtors**”), submits this twenty-second monthly fee statement² for the period August 1, 2020 through August 31, 2020 (the “**Twenty-Second Fee Statement**”) pursuant to the Court’s *Administrative Fee Order Establishing Certain Procedures for Allowance of Interim Compensation and Reimbursement of Expenses of Professionals Retained By Order of this Court*, dated December 18, 2018 [Docket No. 345] (the “**Administrative Order**”).

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

² Lowenstein Sandler filed its *First Interim Application of Lowenstein Sandler LLP As Counsel To The Debtors For Compensation For Services Rendered And Reimbursement Of Expenses For The Period From September 7, 2018 Through November 30, 2018* [D.I. 353] in lieu of its first monthly fee statement.

Pursuant to the Administrative Order, responses to the Twenty-Second Fee Statement, if any, are due by November 30, 2020.

Dated: November 20, 2020

Respectfully submitted,

LOWENSTEIN SANDLER LLP

/s/ Jeffrey D. Prol

Kenneth A. Rosen, Esq.

Jeffrey D. Prol, Esq.

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Roseland, New Jersey 07068

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Counsel to the Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

D.N.J. LBR 2016-1, FEE APPLICATION COVER SHEET

IN RE: Duro Dyne National Corp., et al.,¹ APPLICANT: Lowenstein Sandler LLP
CASE NO.: 18-27963 (MBK) CLIENT: Chapter 11 Debtors
CHAPTER: 11 CASE FILED: September 7, 2018

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION UNDER
PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746

RETENTION ORDER(S) ATTACHED

**TWENTY-SECOND MONTHLY FEE STATEMENT OF LOWENSTEIN SANDLER
LLP FOR THE PERIOD AUGUST 1, 2020 THROUGH AUGUST 31, 2020**

SECTION I
FEE SUMMARY

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUS FEES REQUESTED	<u>\$1,443,771.00</u>	<u>\$46,406.31</u>
TOTAL FEES ALLOWED TO DATE:	<u>\$1,443,771.00</u>	<u>\$46,406.31</u>
TOTAL RETAINER REMAINING	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL PREVIOUS HOLDBACK (IF APPLICABLE) ²	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL RECEIVED BY LOWENSTEIN SANDLER ³	<u>\$1,443,771.00</u>	<u>\$46,406.31</u>
FEE TOTALS	\$17,883.00	
DISBURSEMENTS TOTALS	<u>+\$0.00</u>	
TOTAL FEE APPLICATION	\$17,883.00	
MINUS 20% HOLDBACK	<u>- \$3,576.60</u>	
AMOUNT SOUGHT AT THIS TIME	\$14,306.40	

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

² This amount reflects holdback amounts for the current interim period only, and does not include outstanding amounts owed for the prior interim periods.

³ Prior to the Petition Date, Lowenstein Sandler was retained to represent the Debtors in these Chapter 11 Cases. Lowenstein Sandler was paid for all amounts owed for legal services rendered prior to the Petition Date and was holding a retainer in the amount of \$117,300.04 (the "Retainer") for services and expenses incurred during these Chapter 11 Cases. The total amount received by Lowenstein Sandler reflects the application of the Retainer to amounts requested in Lowenstein Sandler's First Interim Fee Application [D.I. 353].

Name of Professional	Year Admitted	Title/Department	Hours Spent	Hourly Rate	Charge
Prol, Jeffrey D.	1989	Partner/Bankruptcy	10.90	\$895.00	\$9,755.50
Kramer, Jeffrey A.	1995	Counsel/Bankruptcy	2.40	\$470.00	\$1,128.00
Suckerman, Daniel A.	2007	Counsel/Corporate / Tax	0.20	\$695.00	\$139.00
Yusem, Stuart S.	1982	Counsel/Corporate / Tax	6.70	\$755.00	\$5,058.50
Claussen, Diane	N/A	Paralegal/Bankruptcy	0.10	\$270.00	\$27.00
Lawler, Elizabeth B.	N/A	Paralegal/Bankruptcy	7.10	\$250.00	\$1,775.00
TOTAL FEES			27.40		\$17,883.00
Attorney Blended Rate					\$796.09

SECTION II
SUMMARY OF SERVICES

Task	Task Description	Hours	Fees
B160	Fee/Employment Applications	5.50	\$1,377.00
B170	Fee/Employment Objections	0.30	\$268.50
B175	Fee Applications and Invoices - Others	4.30	\$1,732.00
B250	Real Estate	0.20	\$139.00
B320	Plan and Disclosure Statement (including Business Plan)	17.10	\$14,366.50
	Total	27.40	\$17,883.00

SECTION III
SUMMARY OF DISBURSEMENTS

N/A	\$0.00
Total Disbursements	\$0.00

**SECTION IV
CASE HISTORY**

(NOTE: Items 3 - 6 are not applicable to applications under 11 U.S.C. §506)

- (1) DATE CASE FILED: September 7, 2018
- (2) CHAPTER UNDER WHICH CASE WAS COMMENCED: 11
- (3) DATE OF RETENTION: October 19, 2018, effective as of September 7, 2018 [Docket No. 194]. See Order attached.
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED:
 - a) Lowenstein Sandler reviewed and analyzed Bank of America's amendments to exit financing documents regarding intercreditor and subordination agreements, and conferred with counsel to the Committee, Legal Representative, Bank of America and the Debtors regarding same;
 - b) Lowenstein Sandler reviewed and revised the proposed confirmation order and related documents;
 - c) Lowenstein Sandler attended to issues in connection with payments to ordinary course professionals; and
 - d) Lowenstein Sandler prepared and filed its sixth 19th, 20th and 21st monthly fee statements, and assisted with the preparation and filing of monthly fee statements for the Debtors' other professionals;
 - e) Lowenstein Sandler performed all other legal services for the Debtors that were necessary and proper in these proceedings and in furtherance of the Debtors' needs.
- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:
 - (A) ADMINISTRATION EXPENSES: (100%)
 - (B) SECURED CREDITORS: (100%)
 - (C) PRIORITY CREDITORS: (100%)
 - (D) GENERAL UNSECURED CREDITORS: (100%)
- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITORS (IF APPLICABLE): The Bankruptcy Court's recommendation in favor of confirmation of the Debtor's Plan of Reorganization is pending before the District Court.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: November 20, 2020

/s/ Jeffrey D. Prol
Jeffrey D. Prol Esq.



Order Filed on October 19, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

LOWENSTEIN SANDLER LLP

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*Proposed Counsel to the Debtors and
Debtors-in-Possession*

In re:

Duro Dyne National Corp., *et al.*¹

Debtors.

Chapter 11

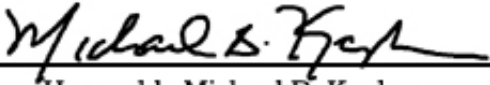
Case No. 18-27963 (MBK)

(Jointly Administered)

**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
LOWENSTEIN SANDLER LLP AS COUNSEL TO THE DEBTORS
EFFECTIVE AS OF THE PETITION DATE**

The relief set forth on the following pages, numbered two (2) through three (3), is
hereby **ORDERED**.

DATED: October 19, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: Duro Dyne National Corp., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Debtors Effective as of the Petition Date

Upon consideration of the application (the “Application”)² of the above captioned debtors and debtors-in-possession (collectively, the “Debtors”) for entry of an order authorizing the employment and retention of Lowenstein Sandler LLP (“Lowenstein Sandler”) as counsel to the Debtors, effective as of the Petition Date (September 7, 2018), and upon consideration of the Prol Declaration submitted in support of the Application; and the Court being satisfied, based on representations made in the Application that (i) Lowenstein Sandler has no connection with the Debtors, their creditors, any other party in interest, their current respective attorneys or professionals, the United States Trustee or any person employed in the office of the United States Trustee, and does not represent any entity having an adverse interest to the Debtors in connection with the Debtors’ Chapter 11 Cases, except as set forth in the Prol Declaration; (ii) Lowenstein Sandler is a “disinterested person” as that phrase is defined in section 101(14) of the Bankruptcy Code, (iii) neither Lowenstein Sandler, nor its professionals, have any connection with the Debtors, their creditors or any other party in interest; and (iv) Lowenstein Sandler’s employment is necessary and in the best interest of the Debtors; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey dated September 18, 2012 (Simandle, C.J.); and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notice of the Application being sufficient under the circumstances; and it appearing that no other or further notice need be provided; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Application is **GRANTED** as set forth herein.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Application.

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Debtors: Duro Dyne National Corp., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of Lowenstein Sandler LLP as Counsel to the Debtors Effective as of the Petition Date

2. The Debtors are authorized to employ and to retain Lowenstein Sandler, effective as of the Petition Date, to serve as the Debtors' counsel in these Chapter 11 Cases.

3. Lowenstein Sandler shall be compensated in accordance with sections 330 and 331 of the Bankruptcy Code, the applicable provisions of the Bankruptcy Rules, the Local Rules, and any orders entered in this case governing professional compensation and reimbursement for services rendered and charges and disbursements incurred.

4. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Application or otherwise waived.

5. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

6. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation and enforcement of this Order.

EXHIBIT A



Lowenstein Sandler LLP
New York Palo Alto New Jersey Utah Washington, DC
T: 973 597 2500 F: 973 597 2400
Tax ID # 46-0920520

VIA EMAIL: rhinden@durodyne.com;
jiannazzo@durodyne.com

November 3, 2020

Invoice Number: 964880
File No: 31035-3

Duro Dyne National Corp.
Attn: Mr. Randall Hinden
81 Spence Street
Bay Shore, NY 11706

TO ENSURE PROPER CREDIT, PLEASE INCLUDE INVOICE NUMBER ON YOUR CHECK AND RETURN THE ENCLOSED REMITTANCE COPY OF THIS PAGE.
PROFESSIONAL FEES, DISBURSEMENTS AND OTHER CHARGES ARE COMPILED AS ENTERED ON OUR RECORDS THROUGH THE BILLING DATE BELOW.
PROFESSIONAL FEES, DISBURSEMENTS OR OTHER CHARGES POSTED SUBSEQUENT TO THAT DATE WILL BE REFLECTED IN FUTURE INVOICES.

For professional services rendered through August 31, 2020:

Counsel Fee	\$17,883.00
Total This Invoice	\$ 17,883.00

EXHIBIT A

Professional Services rendered by Lowenstein Sandler LLP, through August 31, 2020

In re: Chapter 11

I. SUMMARY OF TIME CHARGES AND HOURLY RATES

Name of Professional	Year Admitted	Title/Department	Hours Spent	Hourly Rate	Charge
Prol, Jeffrey D.	1989	Partner/Bankruptcy	10.90	\$895.00	\$9,755.50
Kramer, Jeffrey A.	1995	Counsel/Bankruptcy	2.40	\$470.00	\$1,128.00
Suckerman, Daniel A.	2007	Counsel/Corporate / Tax	0.20	\$695.00	\$139.00
Yusem, Stuart S.	1982	Counsel/Corporate / Tax	6.70	\$755.00	\$5,058.50
Claussen, Diane	N/A	Paralegal/Bankruptcy	0.10	\$270.00	\$27.00
Lawler, Elizabeth B.	N/A	Paralegal/Bankruptcy	7.10	\$250.00	\$1,775.00
TOTAL FEES			27.40		\$17,883.00
Attorney Blended Rate					\$796.09

TIME DETAIL:

Code	Date	Timekeeper	Time Narrative	Hours	Amount
<u>B100 - Administration</u>					
<u>B160 Fee/Employment Applications</u>					
B160	08/18/20	DC	Respond to e-mail re: Fifth Interim Fee Application	0.10	\$27.00
B160	08/24/20	EBL	Multiple e-mails with J. Prol and with C. Malone re: timing of sixth interim fee applications; review Judge Kaplan's hearing dates re: same	0.40	\$100.00
B160	08/25/20	EBL	Prepare 19th, 20th and 21st monthly fee statements and related documents	3.40	\$850.00
B160	08/31/20	EBL	Revise, finalize, efile and coordinate service of LS' nineteenth, twentieth and twenty-first monthly fee statements; e-mails with client re: same; update master fee application chart re: same	1.60	\$400.00
Total B160 - Fee/Employment Applications				5.50	\$1,377.00
<u>B170 Fee/Employment Objections</u>					
B170	08/31/20	JDP	Review and edit LS 19th-21st monthly fee applications	0.30	\$268.50
Total B170 - Fee/Employment Objections				0.30	\$268.50
<u>B175 Fee Applications and Invoices - Others</u>					
B175	08/07/20	JAK	Correspond with C. O'Callaghan re: ordinary course professional invoice issue	0.10	\$47.00
B175	08/11/20	JAK	Correspond with C. O'Callaghan re: ordinary course professional invoice issue	0.10	\$47.00
B175	08/12/20	JAK	Correspond with C. O'Callaghan re: ordinary course professional invoices	0.20	\$94.00
B175	08/12/20	JAK	Correspond with J. Sponder re: ordinary course professional invoices	0.20	\$94.00
B175	08/12/20	JAK	Telephone conference with J. Sponder re: ordinary course professional invoices	0.20	\$94.00
B175	08/13/20	EBL	Finalize and e-file three certs of service for BMC Group; e-mails with BMC Group re: same	0.50	\$125.00

ALL DETAILED INFORMATION IS CONSIDERED TO BE PRIVILEGED AND CONFIDENTIAL.

Code	Date	Timekeeper	Time Narrative	Hours	Amount
B175	08/14/20	JAK	Confer with U.S. Trustee and client re: ordinary course professional issues	0.50	\$235.00
B175	08/20/20	JAK	Correspond with J. Sponder and client re: ordinary course professional issues	0.50	\$235.00
B175	08/20/20	JAK	Review Anderson Kill seventeenth monthly fee statement and confer with LS team re: same	0.10	\$47.00
B175	08/21/20	EBL	Revise, finalize and e-file Anderson Kill's seventeenth monthly fee statement; coordinate service of same; update master fee app chart; e-mail to client re: same; e-mails with C. Malone re: same	1.20	\$300.00
B175	08/21/20	JAK	Correspond with J. Sponder and client re: ordinary course professional issues	0.40	\$188.00
B175	08/25/20	JDP	Review April to July fee apps of legal rep and counsel	0.20	\$179.00
B175	08/27/20	JAK	Correspond with C. O'Callaghan re: accountant invoice	0.10	\$47.00
Total B175 - Fee Applications and Invoices - Others				4.30	\$1,732.00

B200 - Operations

B250 Real Estate

B250	08/07/20	DAS	E-mails with S. Yusem re: current draft of Note Issuance Agreement for analysis of BoA comments	0.20	\$139.00
Total B250 - Real Estate				0.20	\$139.00

B300 - Claims and Plan

B320 Plan and Disclosure Statement (including Business Plan)

B320	08/04/20	JDP	Follow-up with committee and legal rep re: turning comments on BoA documents	0.20	\$179.00
B320	08/07/20	JDP	Review committee comments to BoA docs; review proposed list of chpater 11 plan docs to be appended to Loan and Security Agreement	0.40	\$358.00

Code	Date	Timekeeper	Time Narrative	Hours	Amount
B320	08/07/20	SSY	Review comments to loan agreement and intercreditor agreement from Committee counsel and prepare summary and analysis; confer with J. Liesemer re: comments; confer with J. Prol re: comments	3.00	\$2,265.00
B320	08/11/20	SSY	Confer with J. Prol re: status of loan documents from BofA and contact R. Stehl re: same	0.20	\$151.00
B320	08/12/20	JDP	Review latest round of comments to loan docs from committee and BoA	0.30	\$268.50
B320	08/17/20	SSY	Confer with C. O'Callaghan and A. Wein re: equity cure deletion from loan documents	0.30	\$226.50
B320	08/18/20	SSY	Review revised loan agreement and intercreditor agreement from Bank of America	2.00	\$1,510.00
B320	08/20/20	SSY	Prepare correspondence to Committee counsel Re: review of revised Bank of America loan documents and intercreditor agreement	0.20	\$151.00
B320	08/24/20	JDP	Review revised findings/conclusions and confirmation order	2.00	\$1,790.00
B320	08/24/20	JDP	E-mails to/from committee and legal rep attorneys re: finalizing findings/conclusions and confirmation order	0.20	\$179.00
B320	08/25/20	JDP	E-mails to/from J. Liesemer and G. Calhoun re: revised Findings and proposed confirmation order	0.30	\$268.50
B320	08/25/20	JDP	Continued review of revised Confirmation Order	1.00	\$895.00
B320	08/26/20	JDP	Continued work on revised findings of fact/conclusions of law	2.20	\$1,969.00
B320	08/26/20	SSY	Review and analyze revised loan documents for exit financing	1.00	\$755.00
B320	08/27/20	JDP	Review and revise findings of fact/conclusions of law	2.40	\$2,148.00
B320	08/29/20	JDP	Review and analyze J. Leisimer memo re: plan confirmation	0.40	\$358.00
B320	08/31/20	JDP	Review comments to BoA docs	1.00	\$895.00
Total B320 - Plan and Disclosure Statement (including Business Plan)				17.10	\$14,366.50

Timekeeper Summary (by Task):

Task	Task Description	Hours	Fees
B160	Fee/Employment Applications	5.50	\$1,377.00
B170	Fee/Employment Objections	0.30	\$268.50
B175	Fee Applications and Invoices - Others	4.30	\$1,732.00
B250	Real Estate	0.20	\$139.00
B320	Plan and Disclosure Statement (including Business Plan)	17.10	\$14,366.50
	Total	27.40	\$17,883.00